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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,999

12/24/2003

Kuang Haun Fu

FP9923

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02/10/2006

LEONG C LEI

PMB # 1008

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EXAMINER

HAWK, NOAH CHANDLER

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/743,999	FU, KUANG HAUN	
	Examiner	Art Unit	
	Noah C. Hawk	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the “different objects 2” and the “reinforcement ribs 52) as described in the specification on page 6, lines 17 and 19, in reference to Figure 6. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because it includes the legal phraseology on line 2, the phrase "comprised of." Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 1 is objected to because of the following informalities: in line 10, the reference character "3" is present. The claims should not include reference characters. In claim 1, line 5-6, the phrase "each shelf being disposed of on both sides multiple L-shaped notches" must be corrected to reflect proper English. Appropriate correction is required.

4. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 2 is a duplicate of part of Claim 1 and therefore does not further limit Claim 1.

5. Claim 2 is objected to because of the following informalities: in line 18, the phrase "to form each a reinforcement rib" should be corrected to reflect proper English. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "improved" in Claims 1-3 renders the claims indefinite because it does distinctly set out what the improvement is, what was improved, or the how the improvement was enacted. Please see MPEP § 608.01(i), section e.

8. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 recites the limitation "the cutting of the notches" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashden in US Patent 4382640 in view of Nelson in US Patent 3490393.

a. Regarding Claim 1, Kashden teaches a suspension fabric cabinet including a cabinet (10) made of fabric material (see Kashden, Column 2, lines 31-32 "preferably made of canvas"), and multiple shelves (38), with an extension

on the front edge (40), the extension being folded upward and folded in to overlap on the shelf to form a reinforcement rib and multiple cells (the spaces formed between the shelves) for storage of objects being formed vertically on the cabinet. Kashden fails to teach a locking strip or that the rear edge of the shelf includes a reinforcement rib. Nelson teaches the use of locking strips (29) provided on the inner edges of a cabinet, each locking strip provided with a lip (31) and a catch (34, 35) and shelves (26) disposed on each side with multiple L-shaped notches (36), each shelf being secured in place between two locking strips with notches on the shelf engaged to catches from the locking strips, but fails to teach the use of a reinforcement rib on the rear edges of the shelf. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device of Kashden by using the locking strips to securely attach to L-shaped notches on a shelf as taught by Nelson in order to provide a secure, detachable means to attach the shelf to the cabinet. Further, it would have been obvious to one of ordinary skill in the art at the time of invention to use a multiple of the reinforcement rib of Kashden by adding a second rib to the rear edge of the shelf in order to provide more reinforcement means to the device.

b. Regarding Claim 2, as stated above, Kashden in view of Nelson teaches all of the elements of Claim 1 including a suspension cabinet. Kashden further teaches that the extension is folded upward and in to overlap on the shelf (best seen in Kashden, Figure 3) and teaches the use of stitching (considered sewing) to connect pieces of the fabric device (see Kashden, Column 2, line 35-36,

"assembled by conventional stitching"). It would have been obvious to one of ordinary skill in the art at the time of invention to use a sewn attachment to attach the extension to the shelf to form a reinforcement rib. The claim is a product by process claim. The product itself does not depend on the process of making it. The product-by-process limitation "after the cutting of the notches on both sides of the shelf, an extension is each provided on the front and rear edges of the shelf" would not be expected to impart distinctive structural characteristics to the device/apparatus and is therefore not given any patentable weight.

c. Regarding Claim 3, as stated above, Kashden in view of Nelson teaches all of the elements of Claim 1 including a suspension cabinet. Kashden further teaches the use of stitching (considered sewing) as a method of construction when assembling a fabric device (see Kashden, Column 2, line 35-36, "assembled by conventional stitching"). It would have been obvious to one of ordinary skill in the art at the time of invention to use the construction method of stitching or sewing as taught by Kashden to attach the lip portion of the locking strip to the cabinet.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Manley, Bredderman et al., Marks, Stoddart et al., Woods, Berg and Cowan disclose suspension cabinet devices. Wang '573, '646 and '822 disclose the use of ring retaining members for hanging cabinet devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LANNA MAI
SUPERVISORY PATENT EXAMINER
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